

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Chief Financial Officer

Natwar M. Gandhi
Chief Financial Officer



MEMORANDUM

TO: The Honorable Linda W. Cropp
Chairman, Council of the District of Columbia

FROM: Natwar M. Gandhi
Chief Financial Officer

DATE: April 1, 2002

SUBJECT: Fiscal Impact Statement: "Mandatory Autopsy for Deceased
Wards of the District of Columbia and Mandatory Unusual
Incident Report Act of 2002"

REFERENCE: Bill Number 14-342

Conclusion

Funds are not sufficient in the FY 2002 through FY 2005 budget and financial plan to implement the proposed legislation. **The proposed legislation would result in unbudgeted expenditures of approximately \$189,000 in FY 2002 and a total of over \$1.39 million over the FY 2002 through FY 2005 period.** The FY 2002 estimate reflects expenditures that would be made in the remaining six months of the fiscal year.

Anti-deficiency laws, 31-USCA § 1341 (2000), prohibit District officers and employees from exceeding agency appropriations in any fiscal year. Should funding be made available to absorb the additional costs in FY 2002, then the net impact would be zero for that year. For subsequent years, the additional expenditures would need to be included as budgeted expenditures.

Background

The proposed legislation would require: 1) the Office of the Chief Medical Examiner (OCME) to perform an autopsy on any person who dies while a ward or a resident of certain regulated facilities of the District of Columbia, 2) facility operators to notify the Department of Health (DOH) and the Office of the Inspector General (OIG) of any unusual incident, and 3) DOH and OIG to investigate the report within 72 hours and take appropriate action. The proposed legislation also would require operators to immediately

notify the Metropolitan Police Department (MPD) of any unusual incident that involves abuse of a resident and MPD would be required to investigate the report within 72 hours and recommend appropriate action upon completion of the investigation.

An unusual incident is any incident that results in physical injury to a ward or resident of a nursing home, community resident facility, or group home for persons with mental retardation. According to DOH, 1,365 unusual incidents were reported in FY 2001 and 525 have been reported thus far in FY 2002.

Financial Plan Impact

The proposed legislation would result in an unbudgeted expenditure of approximately \$189,000 in FY 2002 and a total of over \$1.39 million over the FY 2002 through FY 2005 period. The FY 2002 estimate reflects expenditures that would be made in the remaining six months of the fiscal year. The Department of Health (DOH) would require additional, unbudgeted personal services costs and the Office of the Chief Medical Examiner (OCME) would require additional, unbudgeted personal and non-personal services costs to implement the proposed legislation. The Metropolitan Police Department (MPD) and Office of the Inspector General (OIG) would be able to comply with the bill's requirements with existing resources.

The proposed legislation would require DOH to hire four registered nurse consultants with fringe benefits equal to 17 percent of base salary and 3 percent increase for inflation in each year beginning in FY 2003. The proposed legislation would also require OCME to expended personal services costs at a rate of \$1,135 per autopsy that would result from the bill. OCME expects 50 autopsies a year to result from the proposed legislation. Personal services costs for FY 2002 are based on the salaries that would be paid in the remaining six months of the fiscal year.

Estimated Personal Services (PS) Costs						
Staff	Salary/ Cost	FY 2002 (1/2 year)	FY 2003	FY 2004	FY 2005	4-Year Total
RN Consultant (x4) (DOH)	\$71,073	\$147,832	\$304,534	\$313,670	\$323,080	\$1,089,116
OCME Staff Cost per autopsy (x50)	1,135	28,375	58,453	60,206	62,012	209,046
Net Annual Impact		\$176,207	\$362,986	\$373,876	\$385,092	\$1,298,162

The non-personal service costs for FY 2002 are based on the amounts that would be expended by the OCME in the remaining six months of the fiscal year to comply with the proposed legislation.

Estimated Non-Personal Services (NPS) Costs					
Item	FY 2002 (1/2 year)	FY 2003	FY 2004	FY 2005	4-Year Total
Supplies and Equipment (OCME)	\$12,625	\$26,008	\$26,788	\$27,591	\$93,012
Net Annual Impact	\$12,625	\$26,008	\$26,788	\$27,591	\$93,012

The proposed legislation would result in an unbudgeted expenditure of approximately \$189,000 in FY 2002 and a total of over \$1.39 million over the FY 2002 through FY 2005 period. The FY 2002 estimate reflects expenditures that would be made in the remaining six months of the fiscal year.

Estimated Impact to the Financial Plan					
Item	FY 2002 (1/2 year)	FY 2003	FY 2004	FY 2005	4-Year Total
NPS Costs	\$12,625	\$26,008	\$26,788	\$27,591	\$93,012
PS Costs	\$176,207	\$362,986	\$373,876	\$385,092	\$1,298,162
Net Annual Impact	\$188,832	\$388,994	\$400,664	\$412,684	\$1,391,173